

REMARKS

Favorable reconsideration of this application, as presently amended, is respectfully requested.

The specification has been amended to correct the related case information cited on page 1 of the application. Claim 3 has been amended to correct a minor typographic error.

Claims 1-47 are pending in the present application. Claims 37-47 have been added by the present amendment. Claims 1-36 were rejected under 35 USC § 103(a) as being unpatentable over Anderson et al. '357 in view of Bubie et al. '078.

With reference to the rejection of claims 1-36 based on Anderson et al. and Bubie et al., applicants respectfully traverse this rejection. The present invention and the applied reference to Bubie et al., were at the time the invention of the present application was made, commonly owned by Eastman Kodak Company.

The reference to Bubie et al., which is applied in an obviousness rejection, has a patent date of September 17, 2002. The patent date of Bubie et al. is after the effective filing date of August 15, 2000 of the present application. The reference to Bubie et al. further has filing date of August 25, 1998. Therefore, the reference to Bubie et al. qualifies under 35 USC § 102(e) in the above-noted 103 rejection.

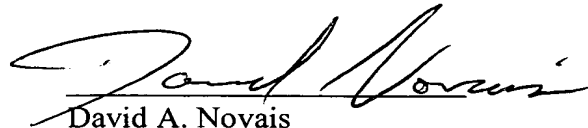
As such, and in view of 35 USC § 103(c) as amended by the American Inventors Protection Act (AIPA) (enacted November 29, 1999), the reference to Bubie et al. does not qualify as prior art in obviousness rejections under 103 in new or continuing applications filed after November 29, 1999. As noted above, the present invention was filed on August 15, 2000. Accordingly, the reference to Bubie et al. should be removed as prior art in this rejection.

Therefore, since Bubie et al. is removed as a prior art reference, the rejection of claims 1-36 under 35 USC § 103(a) as being unpatentable over the combination of Anderson et al. and Bubie et al., should be withdrawn.

Further, claims 37-47, which have been added by the present amendment, set forth further unique features of the present invention and are also believed to be allowable over the applied references.

In view of the foregoing comments, it is submitted that the inventions defined by each of claims 1-47 are patentable, and a favorable reconsideration of this application is therefore requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David A. Novais", is written over a horizontal line.

David A. Novais
Attorney for Applicant(s)
Registration No. 33,324

DAN/ld
Rochester, NY 14650
Telephone: 585-588-2727
Facsimile: 585-477-1148